

AMENDED IN ASSEMBLY MARCH 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

No. 741

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**Introduced by Assembly Member Huffman**  
*(Coauthors: Assembly Members Miller and Wagner)*

February 17, 2011

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An act to add Section 5465 to the Health and Safety Code, relating to wastewater.

### LEGISLATIVE COUNSEL'S DIGEST

AB 741, as amended, Huffman. Onsite wastewater disposal ~~conversion~~.

Existing law prohibits the discharge of sewage or other waste, or the effluent of treated sewage or other waste, in any manner ~~which~~ *that* will result in contamination, pollution, or a nuisance. Under existing law, when the State Department of Public Health or any local health officer finds that a contamination exists, the department or the officer is required to order the contamination abated, as provided.

Under existing law, an owner or reputed owner of property included within an assessment district for construction of a main trunkline or collector sewer lines may request the governing board to construct all necessary plumbing to connect his or her property to the adjoining public sewer system, the cost of ~~the~~ which constitutes a lien on the property.

This bill would authorize ~~specified~~ *defined* entities, ~~as defined~~, to use this provision for the purpose of converting properties from onsite septic systems and connecting them to the sewer system *and for replacing existing sewer laterals connecting pipes to a sewer system*.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 5465 is added to the Health and Safety  
2     Code, to read:
- 3     5465. (a) The procedures specified in this section may be used  
4     by a public agency that is an entity, as defined in Section 5470.
- 5     ~~(b) An entity may use the procedures specified in Section 5464~~  
6     ~~for the purpose of converting properties from onsite septic systems~~  
7     ~~and connecting them to a sewer system, whether or not an order~~  
8     ~~or other action shall have been issued or taken for an abatement~~  
9     ~~of contamination created by sewage disposal. The conversion~~  
10    ~~improvements and costs may include, but are not limited to, pipes,~~  
11    ~~pumps and other equipment, septic system abandonment, and~~  
12    ~~associated sewage treatment capacity.~~
- 13    (b) *An entity may use the procedures specified in Section 5464*  
14    *for either of the following purposes, whether or not an order or*  
15    *other action has been issued or taken for an abatement of*  
16    *contamination created by sewage disposal:*
- 17    (1) *Converting properties from onsite septic systems and*  
18    *connecting them to a sewer system. The conversion improvements*  
19    *and costs may include, but are not limited to, pipes, pumps and*  
20    *other equipment, septic system abandonment, and associated*  
21    *sewage treatment capacity.*
- 22    (2) *Replacing existing sewer laterals connecting pipes to a sewer*  
23    *system. The cost of the lateral replacement shall constitute the cost*  
24    *of an improvement for connection to a sewer system.*
- 25    (c) For purposes of this section, and in addition to any other  
26    power, an entity may exercise the powers specified in Article 4  
27    (commencing with Section 5470).
- 28    (d) The authority granted by this section shall be in addition to,  
29    shall not be in derogation of, and shall not affect, any authority  
30    granted by other law relating to recovering the cost incurred by an  
31    entity for connecting properties to the public sewer system, or the  
32    entity's exercise of powers pursuant to any other law. This section  
33    shall be deemed to provide a complete and supplemental method  
34    for exercising the powers authorized by this section, and shall be

1 deemed supplemental to the powers conferred by other applicable  
2 laws.

3 (e) For purposes of this section, the following definitions shall  
4 apply:

5 (1) “Assessment district” as used in statutes referenced in this  
6 section also means an improvement district or any other area served  
7 by the entity’s sewer collection system.

8 (2) “Governing board” and “governing body” mean the  
9 governing body of the entity.

10 (3) “Ordinance” as used in statutes referenced in this section  
11 also means a resolution.

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